

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION,  
TUESDAY, MAY 12, 19670.

CITY OF FORT WAYNE, INDIANA  
Journal of the Proceedings  
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chamber Tuesday  
evening, May 12, A.D., 19670 in Regular Session. President  
Herbert G. Tipton in the chair, and Fuad G. Bonahoom Clerk, at the desk,  
present the following members 9. viz:  
Adams ✓ Dunifon ✓ Fay ✓ Geake ✓ Nuckols ✓ Robinson ✓  
Rousseau ✓ Steigerwald ✓ Tipton ✓.  
Absent 0 viz: Councilman \_\_\_\_\_

The minutes of the last regular April 28, 1970 session having been delivered  
to the Council, were, on Motion, approved as published.

## CLERK-TREASURER'S, CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF APRIL 1970

Page one of two

Prescribed by State Board of Accounts

FUNDS	TOTAL JAN. 1 BALANCE AND RECEIPTS TO DATE 1	RECEIPTS FOR MONTH 2	TOTAL BALANCE AND RECEIPTS 3	DISBURSED TO DATE 4	DISBURSED FOR MONTH 5	TOTAL DISBURSEMENTS 6	TREASURER'S ENDING BALANCE 7	CITY CONTROLLER'S ENDING BALANCE 8
GENERAL FUND	2155,500.93	980,734.75	3136,235.68	2135,633.75	766,622.69	2902,256.44		233,979.24
HUMANE TRUST	4,012.73	261.00	4,273.73	500.00	160.00	660.00		3,613.73
AVIATION	227,207.47	45,779.32	272,986.79	140,237.69	66,530.59	206,768.28		66,218.51
PARK-GENERAL	552,441.89	255,147.81	807,589.70	535,248.30	258,388.95	793,637.25		13,952.45
PARK TRUST	105,795.70	40.00	105,835.70	3,607.64	676.75	4,284.39		101,551.31
PARK-CUMULATIVE BUILDING	107,964.04	-----	107,964.04	-----	-----	-----		107,964.04
REDEVELOPMENT-GENERAL	66,702.20	-----	66,702.20	9,638.23	5,344.00	14,982.23		51,719.97
REDEVELOPMENT DISTRICT CAPITAL	296,374.39	3,194.98	299,569.37	6,214.00	3,558.85	9,772.85		289,796.52
CENTRAL CITY CODE	122,776.36	-----	122,776.36	-----	77,535.89	77,535.89		45,240.47
CENTRAL CITY PARK LAND	27,276.16	-----	27,276.16	-----	-----	-----		27,276.16
MOTOR VEHICLE HIGHWAY	599,893.17	196,903.36	796,796.53	399,528.60	122,125.07	521,653.67		275,142.86
PARKING METERS	60,815.05	107,689.19	168,504.24	9,238.88	107,830.79	117,069.67		51,434.57
SEWER RELIEF	1796,103.88	6,227.34	1802,331.22	1392,283.23	174,670.13	1566,953.36		235,377.86
FLOOD PREVENTION & RIVER IMPROVEMENT	66,201.46	-----	66,201.46	8,657.91	1,365.49	10,023.40		56,178.06
PARKING GARAGE	33,969.69	6,972.22	40,941.91	25,659.46	14,144.76	39,804.22		1,137.69
PUBLIC LIGHTING	62,872.91	-----	62,872.91	16,225.26	976.18	17,201.44		45,671.47
EXPRESSWAY	3,507.69	-----	3,507.69	-----	-----	-----		3,507.69
ST. MARY'S RIVER IMPOUNDING	265,086.84	-----	265,086.84	242,239.72	-----	242,239.72		22,847.12
LOCAL ROAD & STREET ACCOUNT	287,175.07	-----	287,175.07	247,502.78	-----	247,502.78		39,672.29
BARRETT LAW MANDATORY JUDGEMENT	30,345.67	-----	30,345.67	-----	-----	-----		30,345.67
FIRE PENSION	111,820.42	75,592.34	187,412.76	111,709.65	55,541.83	167,251.48		20,161.28
POLICE PENSION	131,711.09	62,135.99	193,847.08	127,105.34	63,332.02	190,437.36		3,409.72
SANITARY OFFICERS PENSION	28,472.53	367.38	28,839.91	4,732.76	2,313.38	7,046.14		21,793.77
FORT WAYNE ART INSTITUTE	729.19	-----	729.19	-----	-----	-----		729.19
CUMULATIVE CAPITAL IMPROVEMENT	878,564.82	-----	878,564.82	645,346.07	4,429.58	649,775.65		228,789.17
CITY-COUNTY BUILDING	2201,564.92	-----	2201,564.92	2121,434.70	-----	2121,434.70		80,130.22
FORT WAYNE NATIONAL	434,227.57	51,660.84	485,888.41	386,329.56	54,980.64	441,310.20		44,578.21
R-51 DEPOSIT HELD	12,907.17	-----	12,907.17	-----	-----	-----		12,907.17
R-51 ANTHONY WAYNE BANK	605,911.61	-----	605,911.61	604,620.27	-----	604,620.27		1,291.34
R-52 LINCOLN NATIONAL BANK	1209,425.96	500,000.00	1709,425.96	1153,692.69	496,391.22	1650,083.91		59,342.05
R-52 DEPOSIT HELD-LINCOLN BANK	693.28	-----	693.28	-----	-----	-----		693.28
R-52A ANTHONY WAYNE BANK	132,439.38	-----	132,439.38	131,587.49	-----	131,587.49		851.89
R-53 REVOLVING	57,321.03	9,692.41	67,013.44	42,013.44	6,789.01	48,802.45		18,210.99
TOTALS								

ADJUSTMENTS (explain fully)

BALANCE (Col. 7 must agree with Col. 8)

## CLERK-TREASURER'S, CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF APRIL 19 70

Prescribed by State Board of Accounts

Page two of two

FUNDS	TOTAL JAN. 1 BALANCE AND RECEIPTS TO DATE 1	RECEIPTS FOR MONTH 2	TOTAL BALANCE AND RECEIPTS 3	DISBURSED TO DATE 4	DISBURSED FOR MONTH 5	TOTAL DISBURSEMENTS 6	TREASURER'S ENDING BALANCE 7	CONTROLLER'S ENDING BALANCE 8
PAYROLL FUND	2168,565.68	733,165.76	2901,731.44	2065,868.28	799,276.73	2865,145.01		36,586.43
CITY UTILITIES-ELECTRIC	3843,627.21	1009,060.31	4852,687.52	3314,876.35	1098,066.98	4412,943.33		439,744.19
CITY UTILITIES-WATER	2613,238.59	1306,697.88	3919,936.47	2488,532.46	1229,522.98	3718,055.44		201,881.03
CITY UTILITIES-SEWER	3975,726.07	331,311.13	4307,037.20	3649,005.61	440,813.43	4089,819.04		217,218.16
WATERWORKS CONSTRUCTION-PH. I-1967	39,344.79	-----	39,344.79	22,848.65	3,964.28	26,812.93		12,531.86
WATERWORKS CONSTRUCTION-PH. II-1968	675,619.32	200,000.00	875,619.32	635,870.99	211,398.29	847,269.28		28,350.04
MUNICIPAL UTILITIES PENSION FUND	34,042.82	8,451.03	42,493.85	25,149.32	8,451.03	33,600.35		8,893.50
OMNIBUS CRIME CONTROL	856.48	-----	856.48	-----	-----	-----		856.48
CRIME CONTROL-POLICE LEGAL ADVISOR	11,365.32	-----	11,365.32	3,461.52	1,153.84	4,615.36		6,749.96
ACCIDENT REPORT ACCOUNT	600.86	614.00	1,214.86	169.19	188.84	358.03		856.83
SEWAGE CONSTRUCTION ACCOUNT	-----	30,000.00	30,000.00	-----	-----	-----		30,000.00
CHANGE	500.00	-----	500.00	-----	-----	-----		500.00

TOTALS

26041,299.41 5921,699.04 31962,998.45 22706,769.79 6076,544.22 28783,314.01

3179,684.44

ADJUSTMENTS (explain fully)

BALANCE (Col. 7 must agree with Col. 8)

Remarks addressed to the Common Council at its meeting on May 12, 1970, by Mrs. Fay:

I should like to draw to your attention a public service now being undertaken by Radio Station WOWO in conjunction with almost 50 women volunteers. It is an urban coalition prompted program called "Call For Action." From 11:00 a.m. to 1:00 p.m. daily, telephones at WOWO will be manned by volunteers trained in needs, problems and services relative to housing to answer inquiries by citizens seeking an answer or assistance with housing problems. The Mayor's Office and administrative heads are cooperating fully with this program.

I feel Radio Station WOWO should be commended for taking the leadership for this program and the women shouldering the volunteer aspect, general chairman Mrs. Lloyd Stubbins; volunteer co-chairmen Mrs. Robert McCommon and Mrs. Ruth Jones; research co-chairmen Mrs. Bonnie Andrews and Mrs. Harry Hill.

This is to be made a matter of record.

Mrs. Celia Ann Fay

Remarks addressed to the Common Council at its meeting on May 12, 1970, by Mrs. Fay:

*You know of my ~~been~~ interest in a <sup>local government</sup> ombudsman program. We now have the beginnings of <sup>an electronic ombudsman</sup> <sup>to</sup> <sup>ombudsman</sup> <sup>outside</sup> <sup>government</sup>*  
I should like to draw ~~to~~ your attention, a public service now being undertaken by Radio Station WOWO in conjunction with almost 50 women volunteers. It is an urban coalition prompted program called "Call For Action." From 11:00 a.m. to 1:00 p.m. daily, telephones at WOWO will be manned by volunteers trained in ~~needs, problems and services relative to housing~~ to answer inquiries by citizens seeking ~~an answer or~~ assistance with housing problems. The Mayor's Office and administrative heads are cooperating fully with this program.

I feel Radio Station WOWO <sup>an electronic ombudsman</sup> should be commended for taking the leadership for this program and the women shouldering the volunteer aspect, general chairman Mrs. Lloyd Stubbins; volunteer co-chairmen Mrs. Robert McCommon and Mrs. Ruth Jones; research co-chairmen Mrs. Bonnie Andrews and Mrs. Harry Hill.

This is to be made a matter of record.

Mrs. Celia Ann Fay



# City of Fort Wayne

HAROLD S. ZEIS  
Mayor

## COMMUNICATION FROM THE MAYOR

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Today, April 29, 1970, I have approved the following ordinances passed by the Common Council at its regular meeting on April 28, 1970:

(Bill No. A-70-04-01)

APPROPRIATION ORDINANCE NO. A-93-70

AN EMERGENCY APPROPRIATION ORDINANCE providing an additional appropriation for the Board of Aviation Commissioners for the fiscal year ending on December 31, 1970, and amending Appropriation Ordinance No. A-73-69.

(Bill No. S-70-04-03)

SPECIAL ORDINANCE NO. S-461-70

AN ORDINANCE approving bid document with ALLEN COUNTY MOTORS, INC. for two 1970 Ford Sedans for the Fire Department.

(Bill No. S-70-04-04)

SPECIAL ORDINANCE NO. S-462-70

AN ORDINANCE approving a contract with SIMPLEX WIRE & CABLE COMPANY for Copper Cable for the Light Construction Department.

(Bill No. S-70-04-05)

SPECIAL ORDINANCE NO. S-463-70

AN ORDINANCE approving a contract with J. L. BURKS CONSTRUCTION & EQUIPMENT, INC. for two Backhoe/Loaders for the Water Construction and Sewer Maintenance Departments.

(Bill No. S-70-04-06)

SPECIAL ORDINANCE NO. S-464-70

AN ORDINANCE approving a contract with GENERAL ELECTRIC COMPANY for Pilot Wire Relaying for Gas Turbine.

(Bill No. S-70-04-07)

SPECIAL ORDINANCE NO. S-465-70

AN ORDINANCE approving a contract with HIPSKIND ASPHALT CORPORATION for improvement of Vance Avenue.



MADE A MATTER OF RECORD

DATE 5-12-70 RUAD G. DONAHOO, CITY CLERK

(Bill No. S-70-04-08)

SPECIAL ORDINANCE NO. S-466-70

AN ORDINANCE approving a contract with C & C CONSTRUCTION COMPANY, INC. for Sewer Res. No. 222-1969 known as the Diversified Utilities Interceptor Pumping Station.

(Bill No. S-70-04-09)

SPECIAL ORDINANCE NO. S-467-70

AN ORDINANCE approving a contract with GENERAL ELECTRIC COMPANY for two Padmount Transformers for the Electrical Engineering Department.

(Bill No. S-70-04-10)

SPECIAL ORDINANCE NO. S-468-70

AN ORDINANCE approving a contract with C. A. LEHMAN & SONS, INC. for Steel Control House for Substation on Hobson Road.

(Bill No. G-70-04-13)

GENERAL ORDINANCE NO. G-84-70

AN ORDINANCE amending certain Schedules of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953.

(Bill No. R-70-04-36)

RESOLUTION NO. R-72-70

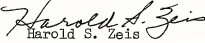
RESOLUTION authorizing payment for repairs to City-owned vehicles.

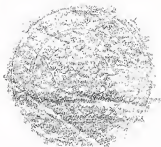
(Bill No. R-70-04-37)

RESOLUTION NO. R-73-70

RESOLUTION of the Common Council of the City of Fort Wayne - Petition By Way of Resolution To the Allen County Drainage Board to Make the Spy Run Creek a Legal Drain.

Respectfully submitted,

  
Harold S. Zeis  
Mayor.



BOARD OF PUBLIC SAFETY

# City of Fort Wayne

## COMMUNICATION FROM BOARD OF PUBLIC SAFETY

April 30, 1970

President of the Common Council  
City of Fort Wayne, Indiana

Dear Sir:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolutions number 31-70/D, 32-70/E and 33-70/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate same into the minutes of the next Common Council Meeting.

Respectfully submitted,

Melvin H. Heckman, Chairman  
BOARD OF PUBLIC SAFETY

By: George W. Bormuth  
George W. Bormuth, Exec. Sec'y.

mb



MADE A MATTER OF RECORD


DATE 5-12-70 RUAD G. BONAHOOM, CITY CLERK



RETURN CERTIFICATE

(Regulatory Resolution No. 31-70 /D), 32-70/E & 33-70/E

I hereby certify that I did this 30th day of April, 1970, ~~1968~~ deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within 31-70/D, 32-70/E & 33-70/E Regulatory Resolution No. \_\_\_\_\_/\_\_\_ of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

  
\_\_\_\_\_

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 31-70/D

(Adopted April 29, 1970, ~~1969~~)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 62 of said chapter as so amended delegates to this Board authority to designate  
preferential intersections

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 28, 1970, ~~1969~~, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 62 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby

ordered, effective April 29, 1970, ~~1969~~, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Preferential Intersection:

1. Addison Avenue - preferential at Northlawn Drive,

DELETE

1. Fourth Street - preferential at Barthold St.

REGULATORY RESOLUTION NO. ~~32-70E~~

(Adopted April 29, 1970 , ~~xxxx~~)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to stop intersections, speed limit 25 miles per hour when children present, no parking and one hour parking 8:00 A.M. to 6:00 P.M. ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 28, 1970 , ~~xxxx~~, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective April 29, 1970 , ~~xxxx~~, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Stop Intersection:

1. Barthold Street - STOP - at Fourth St.
2. Andrew Street - STOP - at Fourth St.

B. Speed Limit 25 MPH When Children Present:

1. Vance Avenue - from Coliseum Blvd. to Reed Road.

C. No Parking:

1. Fourth Street - north side - from Sherman Blvd. to Andrew St.
2. Fourth Street - north side - from Wells St. to Harrison St.
3. State Blvd. - both sides - from Poinsette Dr. to east City limits.
4. Lillie Street - west side - from Paulding Rd. to 165 ft. north thereof.

(over)

D. One Hour Parking 8:00 A.M. - 6:00 P.M.:

1. Grand Street - north side - from Calhoun St. to Harrison St.

REGULATORY RESOLUTION NO. 33-70E

(Adopted April 29, 1970 , ~~xxxx~~)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renewing and extending Regulatory Resolution 17-70/E

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated April 28, 1970 , ~~xxxx~~ , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 3, 1970 \_\_\_\_\_,

~~xxxx~~, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Renew & Extend Regulatory Resolution 17-70/E  
No Parking:

1. Tacoma Avenue - east side - from Rudisill Blvd. to 210' south thereof.
2. Indian Hills Drive - west side - from Engle Road to 165' north thereof.
3. Seddlemeyer Avenue - south side - from South Anthony to 400' west thereof.

90-Minute Parking 8:00 A.M. to 6:00 P.M.:

DELETE

1. California Ave. - east side - from State Blvd. to alley north thereof.



# City of Fort Wayne

CITY PLAN COMMISSION  
425 S. Calhoun Street

May 8, 1970

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City Hall  
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Attached hereto are the recommendations of the City Plan Commission on three (3) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinances are designated as:

Bill No. Z-69-12-04

Bill No. Z-69-12-05

Bill No. Z-70-02-33

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
8th day of May 1970.

  
Mary Ann Haynie  
Secretary



MADE A MATTER OF RECORD

DATE 5-12-70 RUAD C. DONALDSON, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 9, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-12-04; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

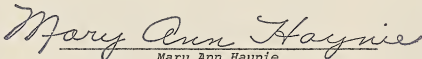
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 19, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 26, 1970.

Certified and signed this  
7th day of May 1970.

  
\_\_\_\_\_  
Mary Ann Haynie  
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 9, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-12-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

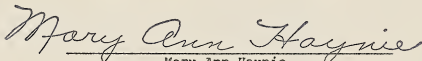
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 19, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 23, 1970.

Certified and signed this  
7th day of May 1970.

  
\_\_\_\_\_  
Mary Ann Haynie  
Secretary



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 24, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-02-33; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

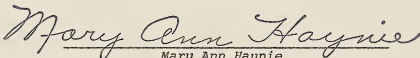
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 16, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 23, 1970.

Certified and signed this  
4th day of May 1970.

  
\_\_\_\_\_  
Mary Ann Haynie  
Secretary

## RESOLUTION

WHEREAS, Essex International, Inc., has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public streets and alleys in Allen County, Indiana, to-wit:

### PARCEL 1

A 12 foot alley and part of a 10 foot alley in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

A 12 (Twelve) foot wide alley running North-South direction and being more particularly described as follows: the West 12 feet of the East 31 feet of Lot #154 in Swinney's Addition to the City of Fort Wayne, Indiana, together with a 10 foot wide alley being more particularly described as follows: 10 (ten) foot in width and being located North of and contiguous to the North line of Lots #155 through #160 and the North line of the East 31 feet of Lot #154 in said Swinney's Addition, containing 0.097 acres of land.

### PARCEL 2

Part of Wall Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning on the Southeast corner of Lot #160 in said Swinney's Addition; thence Westerly, along the North line of Wall Street, 325.65 feet to the Northerly projection of the West line of Phenie Street; thence Southerly, along said projected line, 50.0 feet to the South line of Wall Street; thence Easterly, along said South Line, 325.65 feet to the Southerly projection of the East line of Lot #160 of said Addition; thence Northerly, along said projected line 50.0 feet to the point of beginning, containing 0.374 acres of land.

### PARCEL 3

Part of Phenie Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning at the intersection of the East line of Phenie Street with the South line of Wall Street; thence Westerly, along the South line of Wall Street 45.65 feet to the West line of Phenie Street; thence Southerly, along said West line, 312.0 feet to the Westerly projection of the North line of Swinney Avenue; thence Easterly, along said projected North line, 45.65 feet to the East Line of Phenie Street; thence Northerly, along said East line, 312.0 feet to the point of Beginning, containing 0.327 acres of land.

### PARCEL 4

A 12 foot wide Alley along the West bank of St. Mary's River in Swinney's Addition to the City of Fort Wayne, Indiana and a 23.5 foot wide Alley West of Lot #342 of said Addition. The East line of said Alleys more particularly described as follows:

Beginning on the East line of said 12 foot wide Alley at a point situated 77.4 feet South of the Northwest corner of Lot #239 of said Swinney's Addition; thence Northerly, along the West line of Lots #239 and #240 and across a 11 foot wide vacated alley, a distance of 228.4 feet to the South line of vacated portion of Stophlet Street; thence Northerly, across Stophlet Street, 50.0 feet; thence Northerly along the West line of Lot #283, a distance of 191.95 feet; thence across a vacated alley, 12.0 feet; thence Northwesterly, along the Westerly line of Lot #284, 152.2 feet to the South line of vacated portion of Swinney Street; thence Northwesterly, across said Street, 60.7 feet; thence Northwesterly, along the West line of Lot #310, a distance of 153.8 feet; thence across a vacated alley, 12.0 feet; thence Northwesterly, along the West line of Lot #311, a distance of 159.4 feet to the South line of vacated portion of Wall Street; thence Northeasterly, across said Street, 53.1 feet to the Southwest corner of Lot #342; thence Northerly, along the West line of said Lot, 109.5 feet to the South line of said 23.5 foot wide alley; thence Northerly, continuing along the West line

of said Lot #342, a distance of 50.0 feet to the North line of a 10 foot wide vacated alley along and contiguous to the North line of Lot #342. Containing 0.706 acre of land.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Annot. Stats. §53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on March 23, 1970 at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which would prevent the vacation of said public streets and alleys;

NOW, THEREFORE, be it resolved by the Fort Wayne City Plan Commission that the vacation of said public streets and alleys hereinbefore described conforms to the general policy in matters of development set out in the master plan of the City of Fort Wayne, Indiana; and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public streets and alleys hereinbefore described be and the same is hereby approved; and,

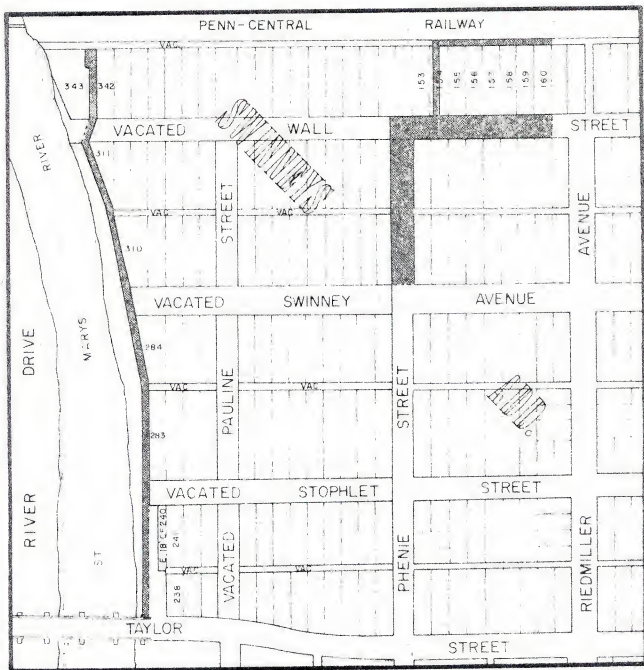
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction over the vacation of streets and alleys in the City of Fort Wayne, Allen County, Indiana.

STATE OF INDIANA     )  
                              )SS:  
COUNTY OF ALLEN     )

I, Argel L. Pion, Vice President of the Fort Wayne City Plan Commission do hereby certify that attached hereto is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on March 23, 1970 and as the same appears of record in the official records of said Plan Commission.

Dated the 23<sup>rd</sup> day of March, 1970.

  
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Argel L. Pion, Vice President



STREETS AND ALLEYS TO BE VACATED

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said city and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday, the 12th day of May, 19 70; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of May, 19 70.

Fuad G. Bonahoom  
City Clerk

SEAL